

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CORDELL MONTEZ PRICE,

Defendant-Appellant.

UNPUBLISHED
November 9, 2004

No. 248100
Wayne Circuit Court
LC No. 02-014182-01

Before: Murray, P.J., and Sawyer and Smolenski, JJ.

PER CURIAM.

Defendant appeals as of right his bench trial conviction for first-degree home invasion, MCL 750.110a(2). The trial court sentenced defendant to nine to twenty years' imprisonment. We affirm.

Defendant first argues that there was insufficient evidence to support his conviction because there was no evidence of a forced entry into the house. We disagree.

We review claims of insufficient evidence de novo. *People v Lueth*, 253 Mich App 670, 680; 660 NW2d 322 (2002). In reviewing the sufficiency of the evidence, we must view the evidence in the light most favorable to the prosecutor and determine whether a rational trier of fact could find that the essential elements of the crime were proven beyond a reasonable doubt. *People v Johnson*, 460 Mich 720, 722-723; 597 NW2d 73 (1999).

Testimony presented by the prosecution at trial reflected that defendant opened the victim's door, entered his apartment, and struck him in the face. Thus, viewed in a light most favorable to the prosecution, there was sufficient evidence to enable a rational trier of fact to find beyond a reasonable doubt that defendant committed first-degree home invasion. Specifically, contrary to defendant's argument, there was sufficient evidence to support a finding that he "broke" into the relevant apartment. See *People v Toole*, 227 Mich App 656, 659; 576 NW2d 441 (1998) (any amount of force used to open a door . . . no matter how slight, is sufficient to constitute a breaking).

Defendant also argues that the trial court made insufficient findings of fact and conclusions of law. In actions tried without a jury, a trial court must find the facts and state separately its conclusions of law. MCR 2.517(A); MCR 6.403. Findings of fact are sufficient if they establish that the trial court was aware of the issues and correctly applied the law. *People v*

Smith, 211 Mich App 233, 235; 535 NW2d 248 (1995). If the findings are insufficient, the case should be remanded for additional findings. *People v Porter*, 169 Mich App 190, 193; 425 NW2d 514 (1988).

The trial court found that defendant pushed his way into the victim's apartment and then assaulted him by striking him in the face. Based on this, the trial court determined that defendant was guilty of first-degree home invasion. The trial court's findings were sufficient because they show that the trial court was aware of the issues and correctly applied the law. *Smith, supra* at 235.

Affirmed.

/s/ Christopher M. Murray
/s/ David H. Sawyer
/s/ Michael R. Smolenski